A.O.

Question — Did HSCA release what Nosenko told them?

HLO on Nosenko point

JL - HSRA Nosenko/CIA testimony of 9/15/78 and relationships 9/16/78
With JFK story
CIA's FOIA affidavits

It was a masterful performance, more so because it was honest (if incomplete) and shocking. Much was lost or obscured in the shock, obfuscated farthur by the Blakely coveringup and the inept committee questioning, which never got to what should have been the major thrust of questioning.

What can be of use to us is what rebuts the CIA's allegations in its affidavits.

Like it cannot officially acknowledge the existence of its stations because that would offend the countries in which its stations are located. While this is nonsensical, it is the new line in the newer affidavits. There is answer in Hart's disclosure, when it was not necessary to his testimony, that he had been station chief in two countries, Korea and Vietnam. Probably more like this. I'll have to read my notes before we are in court again.

These committee dopes pursuing their own sinister plottings they regard as good and necessary national policy set the stage perfectly for what I regard as a magnificent if atypical CIA performance. Their performance was brilliant, as was their thinking, aka game plan.

They really did Angleton in without mentioning his name, as aside.

They disassociated the present from the past in the CIA, which is untrue but they got away with it. They gave the appearance of following the misread and misunderstood Colby line and projected the image of coming clean, ending the abuses of the past with this thorough confession -of an intelligence insanity nobody would ever expect of a professional organization and of which there is little likelihood in the future anyway. They confessed no more than was necessary, which amounts only to details of what was already known. There is no reason to question genuineness in what was done, from Hart's projection of honesty and revulsion and forthrightness to his representation that in this he spoke for Turner and the top command. But what was relevant he did not testify to, was not prepared to testify to, the committee did not want him to testify to and it gave no signs of getting anyone else to testify to. This is where the mutual obscuring will be obscure to almost all. To help it along the committee lied and engaged in false pretenses and Hart was properly unqualified to testify, with a logical and I am sure truthful explanation- he knew nothing about it in a compartmented organization and he had specified in advance that he could not and would not testify to it - Oswald's connections and career. This cannot have been a Blakey overnight. It is certain he arranged with the CIA in advance for the testimony he did want. His introduction makes clear the testimony he didn't want without so stating. It states what he wanted to have believed- that it is all irrelevant, which what he went into is and what he omitted is not. I doubt the papers will have this today. (I saw no evening TV last night).

Not limited to this the committee spelled it all out on one of the morning TV shows, from what I was told last night. Stokes and Preyer were on the show right before these he rings began, probably NBC's Today. (Dave ought to ask them for a tape/transcript for the archive.) They said their purpose was to end all the rumors and they were going to succeed, had already succeeded.

The basic lies include what the FBI reports state and the committee in what is public ignores and pretends is otherwise. Examples are surveillance of Oswald in the USSR and whether or not he had any connection with the CIA. If he had any, as indications are he could have, then there is nothing more significant to the CIA than keeping this from any attention. If this was the plan it succeeded. And in fact Oswald was, according to Nosenko, under surveillance. Of course when he had no phone he was not under "technical surveillance," the one kind I recall from the questioning. There

was little if any point in bugging his quarters in a society like that of the USSR. I suppose our spooks are the only ones as profligate in such adventures, so wasteful of resources and capabilities. There is little doubt from Nosenko's original story to the FBI, before the CIA paranoids started to work on his mind, that LHO was under the kinds of surveillances that counted in Minsk. His mail, for example, was always covered. There were plenty of local informants to provide any information about any contacts, of which there was virtually no possibility anyway. And that Oswald's political views were well known is clear from the FBI's accounts - that Marina's uncle begged Oswald not to be blatantly anti-Soviet in the US.

So by equating all surveillance with the popular notion of wiretapping the committee pulled a misleading stunt and pretended where it will not hurt the CIA that it was less than diligent.

It carried this further by pretending that the CIA was autonomous in the investigation, as it never was. Which is not to say that it could not have been if it wanted to do anything, one of the areas that require suspicion of it. First the FBI was in charge, next the Commission. So where it counts what the committee pretended is not hurtful to the CIA.

We do not know what is in the ~~atff~~ staff report. We do know that none of it reached the large audience the hearings attracted and that there is little likelihood, if it is published intact, that it will receive as much as the little attention the transcripts will receive when they are published.

Example: Nosenko told the FBI the USSR believed LHO to have been an American agent-in-place or sleeper. No mention. Clearly relevant in any exploration of theories and especially in CIA motive for covering up. This is what hung them up from the first. And it is credible. Hush more credible that the Angletonian suspicions about Nosenko when Nosenko began with an important delivery, the norm. Nosenko did establish real credential with what he spilled immediately yet he was suspected. So why should the CIA or the committee not believe that the KGB was suspicious of Oswald? In fact who should not have been if Oswald did what he is reported to have said he did?

As a result of the Nosenko)less) hearing the Commission and the CIA have a better image rather than a worse one because this committee was determined to cover for both and I believe succeeded.

My interest in the staff report, while I would in any event be interested, is because of what it may add to what we can use in court. Another example that contradicts the CIA's representations is the part voluntary disclosure, not essential to his testimony and not in response to any question, that Nosenko is also an FBI consultant.

And, of course, in his confession he did disclose secret "intelligence sources and methods." He and the CIA could have asked for this to have been in executive session. They did not because public testimony served the CIA's political purposes.

(Not that I trust the atff report, which I am sure will be carefully selective. The last time spent with Nosenko was far in the past. This means that Blakey and those he trusts to carry out his wishes will have had ample time to tailor it to his preconceptions and political purposes.)

So I doubt we will ever know what Nosenko really told the committee any more than we will know what it asked. I believe that Nosenko will have been honest and to a large degree forthright. This serves his interest and need. He cannot forecast what changes there will yet be in the CIA and he has survival needs. His only course that anticipate the future is truthfulness. I believe his story to the FBI was truthful. So I believe what he told the committee is what he told the FBI, with perhaps more detail perhaps also not reflected in the staff report.

As a generality I believe that this ends any CIA pretense of being able to have any legitimate reason for withholding the transcripts any longer and I believe that we should argue this. We might in fact want to be ready for a reply brief and if the notmal situation does not provide for one again seek to inform the court by giving it the "new information" the CIA and DJ lawyers withheld, that Nosenko did testify and that if the information withheld from me is not already disclosed selectively there remains no reason for withholding it after the coast-to-coast broadcasting of it (with a carefully angled commentary that is unfaithful to fact).

This is why I asked that you ask both the CIA and thecommittee for the staff report as declassified by the CIA. I think it is relevant to my requests of the CIA and necessary for any judicial decisions. This also is why I asked you to ask the CIA's counsel rather than its FOIA office. Whether or not you have written the FOIA office I think you should do as I asked and that is to involve the CIA's counsel in this matter personally by asking Laurie Z for the declassified report. This would mean that the court record could show that the counsel withheld what we should be able to present to the Court. If the committee refuses what it has in its public record I think the Court will provide its own meaning. We can quote the record from my notes and the tape will support it if this is no at one of the points were I was unaware that the end of the side of the cassettte had come.

The details, if any, that Nosenko added to what we know can wait. What we should havefor possible court uses cannot wait. It is necessary for me or for both of us to go over it with care and to have time to consider what uses to make of it.

Together with the CIA's voluntary disclosures before a public session and knowing they would be broadcast and rebroadcast throughout the land the content could be a very powerful addition to an already strong case in which the Court has already signalled where its interest is and the kind of fact it wants before it. So if we can do nothing else on this except inform it that the CIA refuses to provide the public record that is being suppressed by others, too, I think it will be very helpful.

I anticipate that the Monday hearings on Oswald in Mexico will provide more of the same and I'll try to keep up with it.